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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/532,483	12/13/1999	Freeland Abbott	ATV-007	6737

21323 7590 05/07/2003

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EXAMINER

SALAD, ABDULLAHI ELMI

ART UNIT PAPER NUMBER

2157

DATE MAILED: 05/07/2003

to

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/532,483

Applicant(s)

ABBOTT ET AL.

Examiner

Salad E. Abdullahi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6-9. 6) ☐ Other: _____

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Detailed Action

1. This application has been reviewed. Original claims 1-19 are pending. The rejection cited stated below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christie et al U.S. Patent No. 6,182,117.

As per claims 1, 16, 18 and 19, Christie et al discloses a system for transmitting content, comprising the steps of -

- identifying, by a first server agent running on a first computer in a computer system, at least a portion of a file for transmission to a second server agent running on a second computer in the computer system, the first, and second server agents each providing an interface between the computer system and the first and second computers respectively (identifying changes made to objects in local site's database) (see see figs. 3a and 3b and col. 3, lines 9-65 to col. 5, lines 13-20);
- transmitting at least the portion of the file from the first web server agent to the second

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web server agent (see col. 5, lines 13-37); and

- storing, by the second web server agent, at least the portion of the transmitted file.
(col. 6, lines 24-30 and col. 19, lines 21-27).

Christie et al., is silent regarding utilizing web service system for providing web pages.

Nonetheless, utilizing web services would have been an obvious modification to Christie's system. In addition, Christie's system includes two sites where data is replicated between the two sites, such sites is known to include variety of different servers such as application servers, web servers and etc, hence utilizing web servers in Christie's system would have been an obvious modification because web servers would benefit replicating process taught by Christie, in order to efficiently replicate data from one particular web server to another web servers (see figs. 3a and 3b and col. 3, lines 9-65 to col. 5, lines 13-20). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to utilize web servers in Christie's system because web servers are standard means of communication with high performance, security, extensibility and scalableness.

In considering claims 2 and 10, Christie et al., disclose a system, wherein the identifying step comprises identifying the entirety of the file (see col. 3, lines 9-65 to col. 5, lines 13-20); the transmitting step comprises transmitting the entirety of the file (see col. 5, lines 13-37); and the storing step comprises storing, by the second web server agent, the entirety of the transmitted file (col. 6, lines 24-30 and col. 19, lines 21-27).

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In considering claims 3 and 11, the step of repeating the identifying, transmitting, and storing steps would have been an obvious to Christie's system..

In considering claim 4-5, and 12-13, Christie discloses a system, wherein the identifying step comprises the step of identifying a portion of the file that was not previously transmitted (see col. 3, lines 46 to col. 4, line 41).

In considering claims 6 and 14, Christie discloses a system, further comprising, before the identifying step, the step of executing a program (a script or batch) that operates on the file (see col. 3, lines 19-21).

In considering claims 7 and 15, Christie discloses a system, wherein the identifying step comprises identifying, by the first server agent, at least a portion of the file, which comprises a log file about user data to the server (see col. 6, lines 50-57).

In considering claim 8. The claim includes features discussed above with respect to claim 1, further reciting renaming first file with second name (see col. 3, lines 47-65, where Christie describes after naming an object or file with unique identifier (UID), any changes/ modification to the object is to renamed with second object identifier).

In considering claims 9 and 17. The claim includes features discussed above with respect claim 1, further reciting: running a computer program, running, by the first site agent, transmitting the output of the computer program from the first web server agent to a second web server agent running on a second computer in the web service system and storing by the second web server agent, the computer program output

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(the first site running a replication agent or replicator which synchronizes database file and transmits output of the synchronization process to the second site for storage) (see col. 3, lines 9-46).

CONCLUSION

4. The prior art made of record and relied upon is considered pertinent to the applicants disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abdullahi E. Salad** whose telephone number is **(703) 308-8441**. The examiner can normally be reached on Monday to Friday from **8:30 AM to 5:00 PM**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Etienne, Ario** can be reached at **(703)308-7562**. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703)305-3900**.

Any response to this action should mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:


(703) 746-7238, (after final communications)

(703) 746-7239, (Official communications)

(703) 746-7240, (Non-Official/Draft).

As

5/2/2003


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